IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL REVISION APPLICATION NO. 122 OF 2004.

Vasant R. Purohit. ... Applicant.

Versus.

Rajesh @ Gautam K.Bhosale. ... Respondent.

Ms.Usha Purohit for the Applicant.

Shri Uday Warunjikar for the Respondent.

CORAM : ABHAY S.OKA, J.

DATED : 26th March, 2007.

P.C.:

1. After arguing the Revision Application for sometime, the learned Advocate for the Petitioner states that if the Respondent is directed to pay a reasonable amount of costs to the Petitioner and if a time bound schedule is fixed for disposal of the suit, the Petitioner has no objection if the impugned order is confirmed.

2. In view of this submission, it is not necessary to deal with the merits of the Revision Application as the learned Advocate for the Respondent has agreed to pay a reasonable amount by way of costs. Considering the facts and circumstances of the case, the amount of costs is quantified at Rs.7500/-.

3. In view of what is stated above, the Revision Application is disposed of by the following order:

(i) The impugned Judgment and Order dated 16th July 2004 is confirmed, subject to the modification that the Respondent will pay costs of Rs.7500/- to the petitioner within a period of four weeks from today. The parties are directed to appear before the trial Court on 16th April 2007.

(ii) The trial Court will dispose of the suit as expeditiously as possible and in any event on or before 31st December 2007.

(iii) All contentions of the parties in the pending suit are expressly kept open.

Judge.